

REMARKS

In the Office Action, claims 1, 5-6 and 9-20 were rejected, and claims 3, 4 and 8 were objected to by the Examiner. Applicants thank the Examiner for indicating the allowability of claims 3, 4 and 8. Claim 3 has been placed into independent form and claims 3-4 should now be in condition for allowance. Claims 1, 3, 5, 13, 14, 15 and 20 have been amended, claims 2 and 7 were previously withdrawn, claim 12 has been canceled without prejudice, and claims 1, 3-6, 8-11 and 13-20 remain pending in the present application. All claim amendments are fully supported throughout the written description and figures of the specification.

Claims 1, 5, 6 and 10-20 were rejected under 35 USC 102(e) as anticipated by the Longbottom et al. reference, US Patent No.: 6,079,494. Independent claim 12 has been canceled without prejudice, and independent claims 1, 5, 13, 14, 15 and 20 have been amended to clarify certain aspects of the invention. The claims rejected under 35 USC 102(e) are patentably distinct over the cited reference.

The Longbottom et al. reference discloses a tubing string 52 having a conventional plug 56 and a remotely controllable flow regulating device 58. The regulating device 58 may be a variable choke that is responsive to signals and/or fluid pressures. (Column 5, lines 20-43). However, the Longbottom et al. reference does not disclose or suggest various elements of the pending claims.

For example, the cited reference fails to disclose or suggest a "closure member coupled to the body" combined with a sleeve valve in the body "selectively positionable at an open position, a closed position and a plurality of predetermined positions therebetween, the sleeve valve being adapted to regulate the flow through the second passageway, wherein the open position enables full bore flow" as recited in amended independent claim 1. Similarly, the cited reference fails to disclose or suggest a conduit defining a first bore and a second bore in an annular space combined with a sleeve member in the conduit "selectively movable at predetermined increments between an open position and a closed position" as recited in amended independent claim 5. The cited reference also fails to disclose "providing a body defining a first passageway and a second

passageway," blocking the first passageway with the closure member coupled to the body, directing fluid flow through the second passageway around the closure member, selectively choking the flow through the second passageway and "sizing the second passageway with a total flow area at least as great as the flow area of the first passageway" as recited in amended independent claim 13. The cited reference further fails to disclose elements of independent claim 14, such as "a pressurized fluid passageway in fluid communication with a valve to bias the valve to full choke." Amended independent claim 20 also has patentably distinct features, such as providing a valve with a "closable access bore" therethrough, flowing fluid to the valve via "a bypass passageway" in the valve, providing a "selectively positionable" choke and "biasing the choke toward the closed position." Accordingly, independent claims 1, 5, 13, 14 and 20 are patentably distinguishable over the Longbottom et al. reference. Claims 6, 10, 11 and 16-19 variously depend from these independent claims and are patentable for the reasons provided above as well as for the unique subject matter recited in each of the dependent claims.

Claim 9 was rejected under 35 USC 103(a) as unpatentable over the Longbottom et al. reference in view of the Bouldin et al. reference, US Patent No.: 5,979,558, or the Schnatzmeyer reference, US Patent No.: 5,957,207. Claim 9 depends from amended independent claim 5 and is patentable for the reasons provided above with respect to independent claim 5 as well as for the added elements recited in the dependent claim. The additional references cited by the Examiner do not obviate the deficiencies of disclosure in the Longbottom et al. reference.

Claims 1, 5, 10, 11 and 12 were rejected under 35 USC 103(a) as unpatentable over the Mashaw Jr. et al. reference, US Patent No.: 5,211,241, and the Mashaw Jr. et al. reference, US Patent No.: 5,183,114. Independent claim 12 has been canceled without prejudice, and independent claims 1 and 5 been amended to clarify certain aspects of the invention. The cited references are not applicable to the claims as amended.

The Mashaw Jr. et al. references are directed to sliding sleeve valves. However, the combination of references does not disclose or suggest various elements of amended independent claims 1 and 5. For example, the references do not disclose or suggest a "closure member coupled to the body and movable to selectively, substantially prevent flow" through a first

passageway in combination with a sleeve valve positioned to regulate flow through a second passageway, the sleeve valve being selectively positionable at an open position, a closed position and a plurality of positions therebetween with the open position enabling full bore flow, as recited in amended independent claim 1. Furthermore, the Mashaw Jr. et al. references, alone or in combination, do not disclose or suggest the use of a conduit to define a first bore in an annular space as well as at least one second bore in the annular space where the first bore and the at least one second bore are "oriented in an axial direction" as recited in amended independent claim 5. Claims 10 and 11 ultimately depend from amended independent claim 5 and are patentable for the reasons provided above with respect to claim 5 as well as for the additional elements recited in those dependent claims. Accordingly, claims 1, 5, 10 and 11 are patentably distinguishable over the Mashaw Jr. et al. references

Claim 9 was rejected under 35 USC 103(a) as unpatentable over the Mashaw Jr. et al. references as applied to claim 5 and further in view of the Bouldin et al. reference or the Schnatzmeyer reference. Claim 9 depends from claim 5 and is patentable over the cited references for the reasons provided above with respect to claim 5 as well as for the additional subject matter recited in claim 9.

In view of the foregoing remarks, the pending claims are believed patentable over the cited references. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert A. Van Someren', written over a horizontal line.

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